

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 04-2111

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BARCLAYS INVESTMENTS, INC.,  
as successor of Consolidated Realty Corp.

v.

ST. CROIX ESTATES

v.

BRUCE J. WROBEL,

Intervenor

(D.C. 90-cv-00099)

BRUCE J. WROBEL

v.

FLORIDA RAFFLES, INC.,  
F.D.R. HOLDINGS, INC., GEORGE W. HEATON,  
RICHARD F. MAZUR, ST. CROIX ESTATES, INC.,  
BARCLAYS INVESTMENTS, INC., as successor of  
Consolidated Realty Corp.

(D.C. 91-cv-00100)

Barclays Investments, Inc.,

Appellant

On Appeal from the District Court  
of the Virgin Islands  
(D.C. Civ. Nos. 90-0099 and 91-0100)  
Honorable Raymond L. Finch, Chief Judge

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Argued December 16, 2004

BEFORE: SLOVITER, FUENTES and GREENBERG, Circuit Judges

(Filed: March 1, 2005)

ORDER AMENDING OPINION

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It is hereby ordered that:

(1) The caption of the case is amended so that “St Croix Estates” shall be “St. Croix Estates”;

(2) Footnote 10 in its current form is deleted and the following footnote is substituted as footnote 10:

When Consolidated moved in this court to dismiss its original appeal as premature and gave notice of the motion to Wrobel’s attorney he did not in any document filed with this court oppose the motion or state that the appeal was not premature. He did, however, notify Consolidated’s attorney that in his opinion the appeal had been taken from a final order and thus he requested that Consolidated withdraw its motion to dismiss. He also notified Consolidated’s attorney that if there was a later appeal he would challenge appellate jurisdiction. Thus, Wrobel’s attorney did not mislead Consolidated’s attorney who pursued his motion to dismiss at his own risk.

By the court,

/s/ Morton I. Greenberg  
Circuit Judge

DATED: March 17, 2005  
CMH/cc: ELB, DMH, WBC